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It is respectfully submitted that, the interrogator, disclosed by Price, placed at a fixed location (*column 3, lines 30-32*) does not inherently detect automatically all vehicles within its vicinity. A well known example of an interrogator placed at a fixed location can be found in the field of speed limit enforcement. These devices are typically based on a transmitter sending a LASER signal and measuring the time to the reception of the LASER signal returned (passively) from the vehicle. These devices typically interrogate a specific vehicle selected by an operator and ignore all other vehicles in their vicinity.

Furthermore, Price discloses that *"To initiate interrogation of a VIT 16 on a vehicle 18, the operator uses the input/output 30 to command the processor 31 in the interrogator 12 to generate a query message for transmission."* (*Column 5, lines 48-51*).

It is respectfully submitted that the control points in the method disclosed by Price are not planned to **automatically detect all vehicles** crossing a specific road section in the vicinity of the control point: Price does not describe how automatic vehicle detection can be done by a control point (e.g., magnetic sensing loops under the road, Video camera with image processing, etc), since in Price it is the human operator of the control point that detects and selects a vehicle for interrogation. Therefore, applying Price's description, could not possibly result in (and even might lead a person skilled in the art further away from) a control point that **automatically detects all vehicles** within its vicinity, and therefore, the interrogator disclosed by Price is obviously not the one which is at the heart of the present invention, viz., that of providing non-human aided automatic detection of all vehicles crossing a specific road section in the vicinity of the automatic control point.

The examiner admits that the Price patent does not disclose the classifying as unauthorized of at least vehicles, which have been designated but who's said results have either not been acquired or not been cryptographically authenticated, but contends that *"it would have been obvious for one of ordinary skill in the art at the time of invention to label units that did not respond as faulty, tampered, suspicious, or illegal, in order to easily identify the units that did not respond with information"*.

It is respectfully submitted that the control points in the method disclosed by Price are not planned to **associate said acquired results to said designated vehicles** without a human operator, but rather rely on the human operator of the control point to see whether the manually interrogated vehicle yields an authenticated response. This point is further emphasized by the 5<sup>th</sup> paragraph in description of Price's preferred embodiment, last sentence: *"The interrogator 12 and VIT 16 take no action on received transmissions with messages that cannot be authenticated"*. Therefore, applying Price's patent could not possibly result in (and even might lead a person skilled in the art further away from) the classifying as unauthorized of at least vehicles which have been designated but who's said results have either not been acquired or have not been cryptographically authenticated, considering all vehicles in the vicinity of an automatic control point are designated. For example, if three vehicles, moving in the vicinity of an automatic control point are designated and only two said results are acquired and cryptographically authenticated, it is impossible to classify any of the designated vehicles as unauthorized if the control point is not planned to associate said acquired results to said designated vehicles.

Further, the examiner admits that *"Price does not specifically disclose at least some of the control points, hereafter referred to as particular control points, being moreover planned to acquire physical characteristics of said designated vehicles, allowing their direct recognition, said alert message including in this case said physical characteristics"*, but contends that *"Price does disclose transmitting and receiving motor vehicle information. Motor vehicle information typically discloses make, model, year, and color."*, and that *"it would have been obvious to one of ordinary skill in the art at the time of invention to have the interrogator to display and check the database for the additional motor vehicle information in order to allow for the checking of discrepancies of physical information with visual information."*

It is respectfully submitted that applying Price's patent does not provide for the interrogator to display and check the database for the additional motor vehicle information in order to allow for the checking of discrepancies of physical information with visual information for designated vehicles classified as unauthorized by an unmanned automatic control point **without any person making visual contact with the unauthorized vehicle**, a provision which is at the heart of the current invention.

Furthermore, It is respectfully submitted that Price's control points are planned to display visual vehicle information **retrieved form the data-base for authorized vehicles (or at most for identified vehicles)**, and used by the **human operator of the control point – which is necessarily present at the "scene"** to compare with the vehicle passing by (see Price 5<sup>th</sup> paragraph in the description of the preferred embodiment: *"When connected to a remote or local computer database server 22 by a communications link 24 for access to databases such as motor vehicle records, criminal files, or warrant files to analyze vehicle identification records and owner information, the interrogator 12 allows authorized law enforcement officers to compare the stored registration information in the interrogator 12 with computer databases to determine if grounds exist to investigate the vehicle or its occupants"*, and also 32<sup>nd</sup> parag. in the description of the preferred embodiment *"With rapid access to information about the vehicle, authorized officers have the capability to make optical or visual mismatch recognition quickly."*), which might even lead a person skilled in the art further away from the control points of the present invention which are planned to acquire physical characteristics of the unauthorized vehicles **directly from the vehicles** (e.g. a digital photo) to be included in the alert message - **allowing in such a way for an immediate intervention and a possible interception of unauthorized vehicles or even unidentified vehicles** (e.g. a smuggled vehicle), **without the presence of an operator at the "scene"**.

It is, therefore, respectfully submitted claim 1 is patentable over Price R-W et al for at least the reasons set forth above.

It is respectfully submitted claims 2-3, 5-12, 18-24 are patentable for at least the reasons set forth above in support of the patentability of claim 1.

Claims 23-24 have been additionally rejected under 274 F.2d 669, 124 USPQ 378 (CCPA 1960); MPEP 2144.04 Section VI.B. This rejection is respectfully traversed.

The examiner states that: *"Price discloses a singly VIT as shown in the rejection of claims 1-22. Claims 23 and 24 correspond to a duplication of parts of the method disclosed in claims 1-22. Although Price does not disclose a plurality of VITs, mere duplication of parts has no patentable significance unless a new and unexpected result is produced."*

While it is respectfully believed claim 23 is patentable for at least the reasons set forth above in support of the patentability of claim 1, the method described in claim 23 results in new and unexpected results with respect to claims 1-22, since it allows enforcement authorities not only to detect and control unauthorized vehicles, but also to detect and control unauthorized drivers (e.g., drivers without licenses, drivers with revoked or expired licenses, etc). In addition, in a case of a stolen vehicle, the method described in claim 23 allows enforcement authorities to either immediately identify the vehicle as unauthorized (in case the driver is without license or a revoked license), or retrieve from the data-base the identity of the driver who stole the vehicle (upon the notification on theft of the vehicle).

It is respectfully submitted that the method described in claim 24 results in new and unexpected results with respect to the method of claims 1-23, since it **additionally allows enforcement authorities to automatically receive an alert message on an unauthorized vehicle which is being stolen, even before the owner of the vehicle is aware of the theft**, since if the driver of the vehicle does not correspond to the list of authorized drivers for that specific vehicle (correspondence between the first active licenses and the second active licenses – the list defined by the vehicle owner), then the vehicle is classified as unauthorized. This is especially advantageous in improving the capability of enforcement authorities to stop vehicles stolen next to border areas (between states or countries), prior to crossing the border (in case of cars stolen at night time, the thieves have typically a few hours until the theft is discovered).

Claim 4 has been rejected under 35 U.S.C. 103(a) as being un-patentable over Price as applied to claim 2, and further in view of Maloney (US 2002/0153418). It is respectfully submitted claim 4 is patentable for at least the reasons set forth above in support of the patentability of claim 1.

Claims 13-15 and 17 have been rejected under 35 U.S.C. 103(a) as being un-patentable over Price as applied to claims 1 and 2 above, and further in view of Applied Cryptography. It is respectfully submitted claims 13-15 and 17 are patentable for at least the reasons set forth above in support of the patentability of claim 1.

Claims 25-31 correspond to the apparatus of the method disclosed in claims 1-24, and have been rejected under the same reasoning as claims 1-24. It is respectfully submitted claims 25-31 are patentable for at least the reasons set forth above in support of the patentability of claim 1.